

FORM PTO-1390
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER-
72.053

09/937331

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known, see 37 CFR 1.51)

INTERNATIONAL APPLICATION NO.
PCT/EP00/02138INTERNATIONAL FILING DATE
10 March 2000PRIORITY DATE CLAIMED
March 23, 1999

09/937,331

TITLE OF INVENTION *Internal Vibrator with a Measuring System*APPLICANT(S) FOR DO/EO/US **Günter KUNZE, Georg SICK and Stefan GRAUL**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). - **UNEXECUTED**
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording and Appointment of Domestic Representative. **UNEXECUTED**
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

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U.S. APPLICATION

INTERNATIONAL APPLICATION NO.
T/00/02138

72.053

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21. ☐ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445 (a)(2)) paid to USPTO \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	0 - 20 =	0	X \$18.00	\$ 0.00
Independent claims	0 - 3 =	0	X \$80.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ 0.00

TOTAL OF ABOVE CALCULATIONS =

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are
reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.49(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

TOTAL FEES ENCLOSED =

Amount to be: refunded	\$
charged	\$

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

SIGNATURE

Timothy E. Newholm
NAME

34,400
REGISTRATION NUMBER



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FREDRICKSON
NEWHOLM
STEIN & GRATZ_{SC}

INTELLECTUAL PROPERTY LAW

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53

September 21, 2001

DO/EO/US
Director of the U.S. Patent
and Trademark Office
Box Patent Application
Washington, D.C. 20231

Re: Utility Patent Application Transmittal
Inventors: Günter KUNZE, Georg SICK and Stefan GRAUL
Title: *Internal Vibrator with a Measuring System*
Assignee: Wacker-Werke GmbH & Co. KG
Priority: International Appl. No. PCT/EP00/02138; filed 10 March 2000
German Appl. Ser. No. 199 13 077.9; Filed 23 March 1999
Customer Account No.: **23598**
Attorney Docket No.: 72.053

Dear Sir:

Enclosed is a United States patent application, which application includes 8 pages of specification, 12 claims on 2 sheets, 1 Drawing on 1 sheet, an unexecuted Declaration, and an unexecuted Assignment with Appointment of Domestic Representative. A Preliminary Amendment (1) entering headings suggested by the USPTO, (2) replacing the claims with a new set of claims, and (3) adding an Abstract. A Transmittal Letter to the U.S. Designated/Elected Office is also enclosed.

An executed Declaration, Assignment, and Appointment of Domestic Representative will be filed in response to a Notice to File Missing Parts of International Application, including the filing fee at a later date.

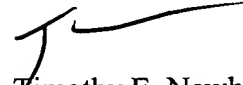
Director of the U.S. Patent
and Trademark Office
September 21, 2001
Page 2

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16 Rec'd PCT/PTO SEP 21 2001

09/937,331 DSB

An Information Disclosure Statement (IDS), Form PTO-1449, and copies of the documents are enclosed.

Respectfully submitted,



Timothy E. Newholm
Registration No. 34,400



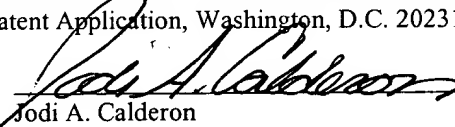
23598
Place Sticker Here
PATENT TRADEMARK OFFICE

Certification Under 37 CFR 1.10

Express Mail Label No: **EL922961645US**

Date of Deposit: **September 21, 2001**

I hereby certify that this paper or fee is being deposited with the United States Postal Service in "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Director of the U.S. Patent and Trademark Office, Box Patent Application, Washington, D.C. 20231.


Jodi A. Calderon